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By ECF

Honorable P. Kevin Castel
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: Discover Growth Fund v. 6D Global Technologies, Inc., et al., No. 15-cv-7618 (PKC)

Dear Judge Castel:

This firm, along with Catafago Fini LLP, represents Defendant 6D Global Technologies, Inc. ("6D Global") in the referenced action initiated by Discover Growth Fund ("Discover").

Since this action commenced, 6D Global has collected \$1,566,832.97 in cash from its clients.

On October 14, 2015, 6D Global requested that the Court amend the Modified TRO (ECF No. 15) to authorize 6D Global to meet its October 30, 2015 payroll obligations and make payments to certain vendors for discrete corporate expenses that had been accrued as of that date. *See* ECF No. 32 (the "October 14 Letter"). On October 27, 2015, the Court authorized 6D Global to meet its October 30, 2015 payroll obligations. *See* ECF No. 46.

Further to its October 14 Letter, 6D Global writes to urgently request that the Court authorize 6D Global to make the following payments to discrete vendors and service providers, all of which must be paid by either Friday October 30, 2015 or Monday November 2, 2015:

- Anthem Blue Cross ("Anthem"): Anthem is 6D Global's health insurance carrier. Shortly after the Modified TRO was entered, 6D Global paid \$37,611.25 to Anthem for its employees' health insurance coverage. In order to satisfy its November obligations and provide continued health insurance to its employees, 6D Global must pay Anthem an additional \$37,725.00 by November 2, 2015.
- RFR: 6D Global rents two offices from its landlord, RFR. In early October 2015, 6D Global paid \$62,873.99 to RFR for October 2015 rent. 6D Global must pay RFR an additional \$63,048.93 for November 2015 rent by November 2, 2015.


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- American Express ("AmEx"): 6D Global charges its company expenses to a corporate AmEx card. After the Modified TRO was entered, 6D Global paid AmEx \$55,000.00 to satisfy its then-outstanding balance. In addition to the \$44,009.36 owed to AmEx as set forth in the October 14 Letter, 6D Global now owes AmEx an additional \$17,818.19. 6D Global must pay AmEx its outstanding balance of \$61,827.55 by October 30, 2015.
- BDO USA LLP ("BDO"): BDO is 6D Global's auditor. Since the Modified TRO was entered, 6D Global has paid \$64,960.00 to BDO. 6D Global now owes BDO an additional \$32,932.00, which must be paid by October 30, 2015.

Without prejudice to its right to seek additional payment authorization as necessary, 6D Global respectfully requests that the Court authorize 6D Global to make the necessary and appropriate business expenditures listed above, which total \$195,533.48, in payment for services that have been, and continue to be, essential to 6D Global's ongoing business operations.¹ This request is in addition to the request for fees related to legal services detailed in the October 14 Letter, totaling \$259,864.52.

We are available at the Court's convenience to discuss these matters further.

Respectfully submitted,



Brian D. Koosed

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cc: Robert F. Serio (by ECF)
Thomas Fini (by ECF)

¹ Copies of the invoices associated with all expenses for which 6D Global seeks authorization are available at the Court's request for *in camera* review.